

**Amendment and Renewal to the Agreement for the Purchase and Delivery
of Fluoride with Harcros Chemicals, Inc., ITB 19-36**

This Amendment and Renewal to Agreement is made and entered into on this 5th day of August, 2022 and is to that certain Agreement for the **Purchase and Delivery of Fluoride** made and entered into on the **1st day of October, 2019** (the Agreement), between the City of Oviedo, a municipal corporation organized and existing under the laws of the State of Florida (hereinafter referred to as the City), whose address is 400 Alexandria Boulevard, Florida 32765, and **Harcros Chemicals, Inc., a foreign corporation**, authorized to do business in the State of Florida, whose principal and local address is **5200 Speaker Road, Kansas City, Kansas 66106**, and local address is **5132 Trenton Street, Tampa, Florida 33619** (hereinafter referred to as the Vendor).

WITNESSETH:

Whereas, the City and the Vendor entered into the above-referenced Agreement on **October 1, 2019** and desire to amend the Agreement so as to enable both parties to continue to enjoy the mutual benefits that the Agreement currently provides; and

Whereas, the Agreement, in Section 29, and the essential requirements of contract law provide that any amendments to agreements shall be expressed in writing and duly executed by the parties; and

Whereas, the parties desire to amend the agreement to reflect an increased cost for **Fluoride to \$3.146/gallon effective July 1, 2022**; and

Whereas, the Agreement was extended and renewed for an additional one-year term on **October 1, 2021**; and

Whereas, the parties desire to further amend the agreement by **extending the term of the Agreement** for a specified period of time so as to enable both parties to continue to enjoy the mutual benefits it provides.

Now, therefore, in consideration of the mutual understandings and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree to amend the Agreement as follows:

Section 1. Recitals. The above stated recitals (whereas clauses) to this Amendment are hereby adopted and form a material part of this Amendment and the consideration hereof upon which the parties have relied.

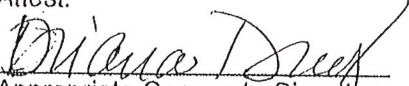
Section 2. Amending Cost. The cost for Purchase and Delivery of Fluoride which is currently priced at \$2.1210/gallon under the Agreement is hereby increased to \$3.146/gallon effective July 1, 2022.

Section 3. Extension and Renewal. The term of the Agreement, which was to expire on **September 30, 2022**, in accordance with the provisions of Section 11 of the Agreement, is extended such as the Agreement will now terminate on **September 30, 2023** and the Agreement is hereby renewed.

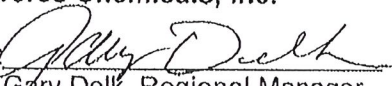
Section 4. Effect of Amendment. Except as specifically stated herein in this Amendment, all terms and conditions of the Agreement shall remain in full force and effect as originally set forth in said Agreement.

In Witness Whereof, the parties hereto have executed this instrument for the purposes herein expressed.

Attest:


Appropriate Corporate Signatory

Harcros Chemicals, Inc.

By: 
Gary Delk, Regional Manager

Attest:


Elianne Rivera (Aug 5, 2022 10:46 EDT)
Elianne Rivera, City Clerk

City Of Oviedo

By: 
Bryan Cobb, City Manager

For the use and reliance of the City of Oviedo only. Approved as to form and legal sufficiency.


David Hall (Aug 4, 2022 15:24 EDT)

David W. Hall
Assistant City Attorney

Amendment and Extension to Agreement - Harcros Chemicals

Final Audit Report

2022-08-05

Created:	2022-08-04
By:	Brenda Olsen (bolsen@cityofviedo.net)
Status:	Signed
Transaction ID:	CBJCHBCAABAAP8YUQ1hG4eN1us4BOrpUawSEPT7k11PV

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-  Document created by Brenda Olsen (bolsen@cityofviedo.net)
2022-08-04 - 3:51:34 PM GMT
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2022-08-04 - 3:52:26 PM GMT
-  Email viewed by David Hall (dwhall@stenstrom.com)
2022-08-04 - 7:23:02 PM GMT
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Signature Date: 2022-08-04 - 7:24:30 PM GMT - Time Source: server
-  Document emailed to Bryan Cobb (bcobb@cityofviedo.net) for signature
2022-08-04 - 7:24:32 PM GMT
-  Email viewed by Bryan Cobb (bcobb@cityofviedo.net)
2022-08-04 - 10:25:08 PM GMT
-  Document e-signed by Bryan Cobb (bcobb@cityofviedo.net)
Signature Date: 2022-08-04 - 10:25:17 PM GMT - Time Source: server
-  Document emailed to Elianne Rivera (erivera@cityofviedo.net) for signature
2022-08-04 - 10:25:19 PM GMT
-  Email viewed by Elianne Rivera (erivera@cityofviedo.net)
2022-08-05 - 1:00:51 PM GMT
-  Document e-signed by Elianne Rivera (erivera@cityofviedo.net)
Signature Date: 2022-08-05 - 2:46:45 PM GMT - Time Source: server



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✔ Agreement completed.

2022-08-05 - 2:46:45 PM GMT



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